

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

THEODORE KHANISHO,

Plaintiff,

v.

SOUTHERN MAIL SERVICE, INC.  
et al.,

Defendants.

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Case No. 3:22-cv-02791-N-BT

**ORDER VACATING FINDINGS, CONCLUSIONS, AND  
RECOMMENDATION OF THE UNITED STATES MAGISTRATE JUDGE**

In this *pro se* civil action, the undersigned entered its Findings, Conclusions, and Recommendation that the District Judge should dismiss this action under Federal Rule of Civil Procedure 41(b) due to Plaintiff Khanisho's repeated failure to properly serve each Defendant. *See* FCR (ECF No. 37). Khanisho filed an objection asking the Court for one more chance to serve the Defendants, which the District Judge construed as a Motion for Continuance and granted. *See* Order (ECF No. 39). In light of the Summons returned executed as to all Defendants filed by Khanisho (ECF No. 42), the Court hereby **VACATES** the Findings, Conclusions, and Recommendation of the United States Magistrate Judge recommending dismissal.

**SO ORDERED.**  
December 4, 2023.



REBECCA RUTHERFORD  
UNITED STATES MAGISTRATE JUDGE